

Notice of Allowability	Application No.	Applicant(s)	
	09/752,505	STEWART, THOMAS	
	Examiner	Art Unit	
	Samuel Broda	2123	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to Applicant's Response dated 20 August 2004.
2. The allowed claim(s) is/are 1-11 and 13-23.
3. The drawings filed on 20 August 2004 are accepted by the Examiner.
4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 of the:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application (PTO-152)
6. Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

SAMUEL BRODA, ESQ.
 PRIMARY EXAMINER

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1. This communication is in response to Applicant's Response to Office Action dated 20 August 2004. Claim 12 was canceled; claims 1-11 and 13-23 are pending.

Reasons for Allowance

2. The following is an Examiner's statement of reasons for the indication of allowable subject matter:

The closest prior art of record shows:

- (1) the Network Equipment-Building System GR-63-CORE requirements for waveform testing (Telcordia, 1995);
- (2) a vibration test system using a partial model by coupling testing of a partial structure and analysis of a numerical model with respect to a large structure or a structure having a portion that is difficult to establish the numerical model (Horiuchi et al, U.S. Patent 5,388,056);
- (3) estimation of a shaking response including a partial structure and a numerical model which is virtually connected to the partial structure (Inoue et al, U.S. Patent 6,341,258); and
- (4) a motor vehicle vibrating system having a rider weight applying structure that simulates a rider weight (Harashima et al, U.S. Patent 5,602,759).

2.1 Applicant's first set of claims consists of claims 1-10.

Independent claim 1 is directed to a transient vibration time-history testing calibration method. This claim identifies the distinct steps of: "providing dummy load final calibrated

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shaker instructions by performing a dummy load full strength shaking process in which shaking forces are applied to said dummy load at a full force value of said dummy load initial calibrated shaker instructions” and “producing equipment under test (EUT) initial calibrated shaker instructions by performing an equipment under test (EUT) attenuated shaking process in which shaking forces are applied to equipment under test (EUT) at a second attenuated value of said dummy load final calibrated shaker instructions.”

Because the closest prior art does not appear to teach or suggest a calibration method using dummy load final calibrated shaker instructions followed by a shaking process in which shaking forces are applied to equipment under test at a second attenuated value of the dummy load final calibrated shaker instructions, claims 1-10 are deemed allowable.

2.2 Applicant’s second set of claims consists of claims 11 and 13-17.

Independent claim 11 is directed to a transient vibration acceleration time-history testing method. This claim identifies the distinct combination of steps of: “performing a pretest configuration process that arranges said equipment under test (EUT) for testing in compliance with a particular utilization per an end-use installation”, “performing a transient vibration time history calibration method”, and “applying full level vibration simulation calibrated forces to said equipment under test (EUT) in accordance with the results of said calibration method.”

Because the closest prior art does not appear to teach or suggest the combination of performing a pretest configuration process following by a transient vibration time history

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calibration method and the application of full level vibration simulation calibrated forces, claims 11 and 13-17 are deemed allowable.

2.3 Applicant's third set of claims consists of claims 18-23.

Independent claim 18 is directed to an earthquake survivability testing method. This claim identifies the distinct steps of: "running waveform tests on a dummy load including two waveform tests at a first attenuated value of said shaker instruction and making calibration adjustments to said shaker instructions, said calibration adjustments providing updated shaker instructions calculated to bring a measured test response spectrum (TRS) within an acceptable predetermined range of a required response spectrum (RRS)" and "running waveform tests on equipment under test including two waveform tests at a second attenuated value of said updated shaker instructions and making additional calibration adjustments to said updated shaker instructions, said additional calibration adjustments providing final calibrated shaker instructions calculated to bring a measured test response spectrum (TRS) within an acceptable predetermined range of a required response spectrum (RRS)."

Because the closest prior art does not appear to teach or suggest a calibration method using dummy load final calibrated shaker instructions followed by a shaking process in which shaking forces are applied to equipment under test at a second attenuated value of the dummy load final calibrated shaker instructions, claims 18-23 are deemed allowable.

3. Any comments considered necessary by Applicants must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

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fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Samuel Broda, whose telephone number is (571) 272-3709. The Examiner can normally be reached on Mondays through Fridays from 8:00 AM – 4:30 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Kevin Teska can be reached at (571) 272-3716. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist, whose telephone number is (703) 305-3900.



**SAMUEL BRODA, ESQ.
PRIMARY EXAMINER**